

REMARKS

These comments are responsive to the final Official Action mailed on December 17, 2003. The Office Action rejected claims 63-97 under 35 U.S.C. 112, first paragraph. More specifically, the Office Action states that, with respect to independent claims 63, 82, 85, 87, 89, 91 and 96, the specification lacks support for "a memory array comprising a plurality of ... address cells". This rejection is respectfully submitted to be in error.

The element of claim 63 in question is

a memory array comprising a plurality of groups of data cells and address cells, said cells in each of said groups of data cells and address cells respectively storing data and addresses;

According to this element, the memory array has both a plurality of groups of data cells and a plurality of groups of address cells, where the data cells are defined by the claim as cells that store data and the address cells are defined by the claim as cells that store addresses. Consequently, to provide support of this element of the claim and overcome the Office Action's, the present application needs to present a memory array with a plurality of groups of cells storing addresses.

In the present application, one memory architecture for the memory array (33, Figures 1 and 2) is shown in the partitioning described with respect to Figure 5, described at page 16, line 23, to page 17, line 25, of the present application. This describes a memory organized into sectors 401, where each sector is a group of memory cells ("the Flash EEprom memory is organized into sectors where the cells", p.16, lns. 24-25). The sectors 401 are typically organized to include a first portion (data portion 403, corresponding to the data cells of the claim) and a second portion 405 ("a typical sector 401 organized into a data portion 403 and a spare (or shadow) portion 405", p.16, lns. 27-28). This second portions 405 includes area 409 whose cells store addresses ("addresses ... are stored ... in the defect map 409", p.17, lns. 6-8).

Thus, the present application provides support for a memory, where the memory is partitioned into groups of cells. Further, in addition to data cells, these include groups of cell that store addresses; but this is definition of address cells in claim 63. Consequently, it is respectfully submitted that the present application provides support

for “a memory array comprising a plurality of groups of ... address cells, said cells in each of said groups of ... address cells ... storing ... addresses” and that the rejection of claim 63 under 35 U.S.C. 112, first paragraph, is not well founded and should be withdrawn.

The Office Action states in the Response to Arguments that: “In the Response, the Applicants equated the equated the address cells (in claims 63, 82, 85, 87, 89, 91 and 96) with defect map area (509 [sic, should read 409] in figure 5 and related text).” The Office Action is correct that, in the cited embodiment of the present application, the address cells are part of area 409. It is unclear why the Office Action is rejecting the claims on this basis. The relevant question is whether the present application provides support for claim 63 *as written*. As presented above, the present application does provide such support, explicitly stating that the cells of area 409 store addresses and, as such, are address cells are presented in claims 63. The Office Action seems to be requiring something additional beyond this, such as support for a particular embodiment, which is improper. Consequently, it is again respectfully submitted that the rejection under 35 U.S.C. 112, first paragraph, is not well founded.

The Office Action further states in the Response to Arguments that “As best understood, the defect map area 509 [409] belongs to a spare (or shadow) portion. These areas contain data (information) for the controller (21 [sic, should read 31] in figure 2 to handle defects (see column 16, last paragraph).” Again, the Office Action is largely correct in its statements, but wrong in its conclusions: the areas 409 do contain information for handling defects and, as noted above, this information is *addresses*. The Office Action seems to be objecting to the fact that the presented embodiment is for handling defects, which the Applicants find confusing as claim 63 is explicitly for a “defect management engine”.

(Applicants also note that the cited portion of the application, namely figure 5 and its corresponding description, is only one embodiment of the claimed invention. Other arrangements of the address cells are given at page 23, line 12, to page 24, line 8.)


Concerning claims 82, 85, 87, 89, 91 and 96, these are rejected for the same reason as claim 63 and are also believed allowable for the reasons given above claim 63.

Therefore, it is respectfully submitted that the Office Action's rejection of claims 63-97 under 35 U.S.C. 112, first paragraph, is not well founded and should be withdrawn. Reconsideration of claims 63-97 and a prompt indication of their allowability are respectfully requested. If the Examiner has any questions, a call to the undersigned is respectfully requested; additionally, the Applicants will plan on trying to arrange a telephone interview in the near future with the Examiner to discuss the present application as they are unclear on the exact basis of rejection in the present Office Action.

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Respectfully submitted,



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